IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1651 OF 2007

Anil Sukhdeo Teltumbade. ..Petitioner.
Versus
State of Maharashtra
and 4 Ors. ..Respondents.

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Smt.Sarojini Upadhayay, Adv. appointed for the Petitioner.
Mrs.U.V.Kejariwal, APP, for the State.

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CORAM : R.M.S.KHANDEPARKAR AND
SMT.V.K.TAHILRAMANI,JJ.
DATED : OCTOBER 19, 2007.

P.C.:-

1. Heard the learned Advocate appointed for the Petitioner and the learned APP for the State.

2. The petitioner has preferred an application for parole or furlough on the ground that his mother was sick. The said application came to be rejected as on earlier occasion when the petitioner was granted parole, he did not surrender in time and overstayed by 2783 days. The petitioner had to be traced and brought back to prison by the police. It is on these grounds that the application of the petitioner came to

be rejected.

3. It is the contention of the petitioner that other convicts who had also overstayed either parole or furlough leave were released on parole or furlough leave, however, his application came to be rejected. We have perused the affidavit of Shri.Ravindra Gaikwad, Jailor Group-II, Yerwada Central Prison, wherein the details relating to those three convicts have been given. Various factors were taken into account while releasing them on parole or furlough including their behaviour in the jail. Moreover, we find that though the convicts were granted parole or furlough, the case of those convicts is not similar to that of the present petitioner. Looking to all the facts and circumstances of the present case, we do not think that any case is made out to interfere with the order of rejection. Hence, Petition is rejected.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]